

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-7 are pending in the application, with claim 1 being the independent claim.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-7 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pub. No. 2004/0163622 to Sakaguchi ("the Sakaguchi publication"). Claims 2-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sakaguchi publication in view of U.S. Patent No. 4,355,609 to Skinner ("the Skinner patent"). It is noted that the filing date of this national stage application is the same as the filing date of the PCT application, which is August 20, 2004. See MPEP 1893.03(b). Accordingly, the Sakaguchi publication, filed on January 16, 2004 and published on August 26, 2004 is available as prior art only under 35 U.S.C. § 102(e). Applicants respectfully traverse these rejections.

Independent Claim 1

Independent claim 1 is directed to a governor device and calls for "a first lever interlockingly connected to a rotary speed setting lever" and "a second lever pivotally supported by the first lever." The Examiner considers the first lever of the Sakaguchi publication to be outer arm 34 and the second lever to be 34b. However, the Sakaguchi

publication describes outer arm 34 as being fixed at its center portion onto a connection shaft 32a and having three arms 34a, 34b, and 34c projecting radially from the center portion, see paragraph [0032] of the Sakaguchi publication. Because arm 34b is part of outer arm 34, arm 34b cannot be pivotally supported by outer arm 34. Therefore, if outer arm 34 is the first lever, arm 34b cannot be the second lever. Further, arm 34b and outer arm 34 cannot be separate levers because arm 34b is an integral part of outer arm 34 and not a separate piece. Accordingly, the Sakaguchi publication fails to disclose or suggest a first lever interlockingly connected to a rotary speed setting lever and a second lever pivotally supported by the first lever, as claimed.

Claim 1 also calls for "a third lever pivotally supported by the second lever." The Examiner considers the third lever of the Sakaguchi publication to be an engaging portion 31c of governor lever 31. However, the Sakaguchi publication describes governor lever 31 as being formed with a boss 31a pivotally supported on a connection shaft 32a, see paragraph [0028] and Fig. 6 of the Sakaguchi publication. If arm 34b is considered to be the second lever, then governor lever 31 is not pivotally supported by arm 34b. Accordingly, the Sakaguchi publication fails to disclose or suggest a third lever pivotally supported by the second lever, as claimed.

In addition, claim 1 also calls for an elastic member "provided between the first lever and the second lever." As noted above, the Examiner considers outer arm 34 and arm 34b of the Sakaguchi publication to be the claimed first and second levers, respectively. In addition, the Examiner considers spring 37 of the Sakaguchi publication to be the claimed elastic member. However, as discussed above, arm 34b is part of outer arm 34 so an elastic member cannot be between them. Further, spring 37 is provided

between regulator handle 39 and arm 34b, not between arm 34b and either arm 34a or 34c. Accordingly, the Sakaguchi publication fails to disclose or suggest an elastic member provided between the first lever and the second lever, as claimed.

Further, claim 1 states "a set load changing means for the elastic member is attached to the first lever near the elastic member." The Examiner did not specifically state what he considered to be the set load changing means in the Sakaguchi publication, but there does not appear to be one attached to a lever near spring 37.

The Sakaguchi publication fails to disclose or suggest the claimed invention for at least the reasons noted above. Accordingly independent claim 1, and claims 2-7 which depend therefrom, are allowable. Applicants respectfully request that the rejections be withdrawn and the claims allowed.

Dependent Claim 2

In addition to the reasons noted above with respect to claim 1, claims 2-5 are also allowable for the reasons discussed below.

Dependent claim 2, calls for "a bracket for the elastic member at the side of the first lever is constructed by an elastic plate." The Sakaguchi publication fails to disclose or suggest the claimed bracket. The Skinner patent fails to cure the deficiencies of the Sakaguchi publication.

The Examiner considers the rubber bellows 24 of the Skinner patent to be the claimed elastic plate. Rubber bellows 24 functions to surround a magnet 22 and a ferrous member 23 to prevent ferrous particles from collecting on magnet 22 and ferrous member 23, see col. 2, lines 37-41 of the Skinner patent. However, there are no magnets

in the Sakaguchi publication. Therefore, there is no suggestion to incorporate the rubber bellows of the Skinner patent into the governor of the Sakaguchi publication.

The combination of the Sakaguchi publication and the Skinner patent fails to suggest the claimed invention of claim 2 for at least the reasons noted above. Accordingly claim 2, and claims 3-5 which depend therefrom, are allowable. Applicants respectfully request that the rejections be withdrawn and the claims allowed.

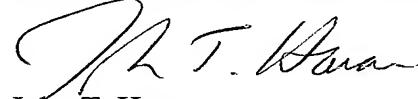
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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Date: January 13, 2009

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